

AGENDA

COMMITTEE ON BILLS ON SECOND READING

**September 25, 2007
Aldermen Duval, Lopez,
Gatsas, Garrity, Pinard**

**5:00 PM
Aldermanic Chambers
City Hall (3rd Floor)**

1. Chairman Duval calls the meeting to order.

2. The Clerk calls the roll.

3. Rezoning Ordinance Amendment:

“Amending the Zoning Ordinances of the City of Manchester by extending the Neighborhood Business District (B-1) into an area currently zoned Urban Multifamily District (R-3), being a portion of Tax Map 178, Lot 12 with an address of 438 Dubuque Street and abutting Amory Street. A majority of the property is currently zoned R-3 and the petition would extend the B-1 to include the entire lot.”

(Note: Public hearing held on September 24, 2007.)

Gentlemen, what is your pleasure?

4. If there is no further business, a motion is in order to adjourn.

City of Manchester New Hampshire

In the year Two Thousand and Seven

AN ORDINANCE

"Amending the Zoning Ordinance of the City of Manchester by extending the Neighborhood Business District (B-1) into an area currently zoned Urban Multifamily District (R-3), being a portion of Tax Map 178, Lot 12 with an address of 438 Dubuque Street and abutting Amory Street. A majority of the property is currently zoned R-3 and the petition would extend the B-1 to include the entire lot."

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester,
as follows:

SECTION 1. Amending the Zoning Ordinance of the City of Manchester by extending the Neighborhood Business District (B-1) into an area currently zoned Urban Multifamily District (R-3), being a portion of Tax Map 178, Lot 12 with an address of 438 Dubuque Street and abutting Amory Street. A majority of the property is currently zoned R-3 and the petition would extend the B-1 to include the entire lot, and being more particularly bounded and described as follows:

Beginning at a point on the zone boundary line between the B-1 (Neighborhood Business) zone district and the R-3 (Urban Multifamily) zone district, prior to this amendment, said point being approximately 62 ft. northerly of the intersection of Dubuque Street and Amory Street, prior to this amendment;

Thence, westerly along the zone boundary line between the B-1 (Neighborhood Business) zone district and the R-3 (Urban Multifamily) zone district, prior to this amendment for a distance of approximately 100 ft. to a point,

Thence, northerly along the property line of TM 178, Lot 12 with Rimmon Street East Back for a distance of approximately 105 ft. to a point;

Thence, easterly along the property line of TM 178, Lot 12 and TM 178, Lot 13 for a distance of approximately 100 ft. to a point;

Thence, southerly along the property line of TM 178, Lot 12 for a distance of approximately 105 ft. to a point, said point also being the point of beginning.

Said description to include a portion of TM 178, Lot 12, consisting of approximately 10,500 square feet of land to be rezoned from R-3 (Urban Multifamily) to B-1 (Neighborhood Business) zone district, after this amendment.

SECTION II. Resolve this ordinance shall take effect upon passage.



SNHPC

Southern New Hampshire Planning Commission

438 Dubuque Street, Manchester, NH 03102-3546, Telephone (603) 669-4664 Fax (603) 669-4350
MANCHESTER CITY CLERK
www.snhpc.org

May 15, 2007

MAY
07 17 A9:20

IN BOARD OF MAYOR & ALDERMEN

DATE: July 10, 2007

ON MOTION OF AID. O'Neil

SECONDED BY AID. Pinard

to refer to the Cmte. on Bills

VOTED TO on Second Reading and to Public Hearing.

Leo R. Bernier
CITY CLERK

Mr. Leo R. Bernier, Clerk
City of Manchester
One City Hall Plaza
Manchester, NH 03101

Re: Southern New Hampshire Planning Commission
438 Dubuque Street, Manchester, New Hampshire

Dear Mr. Bernier:

The Southern New Hampshire Planning Commission currently occupies the building at 438 Dubuque Street on the city's west side (the former Rimmon School). Currently, our property is bisected by two different zoning classifications; B-1 paralleling Amory Street and R-3 for the northern portion.

When the Commission originally renovated and occupied the building in 1995, we applied for and were granted a Variance and a Special Exception to permit professional offices in a residential zone (Case No. 147-ZO-95).

As the Commission plans for its future use of the building, we would like to request that the entire property be included in the B-1 zone. This would allow the currently permitted use as professional offices to continue without the necessity of requesting variances in the future, but would remain consistent with the previously granted exceptions.

I enclosed our check in the amount of \$300.00 to cover the filing fee for the proposed zoning amendment and plot plan showing the zoning.

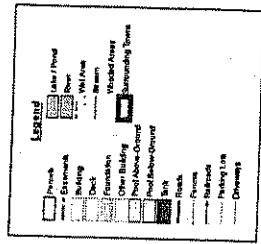
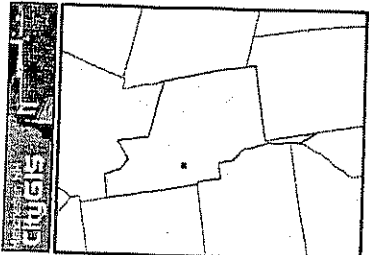
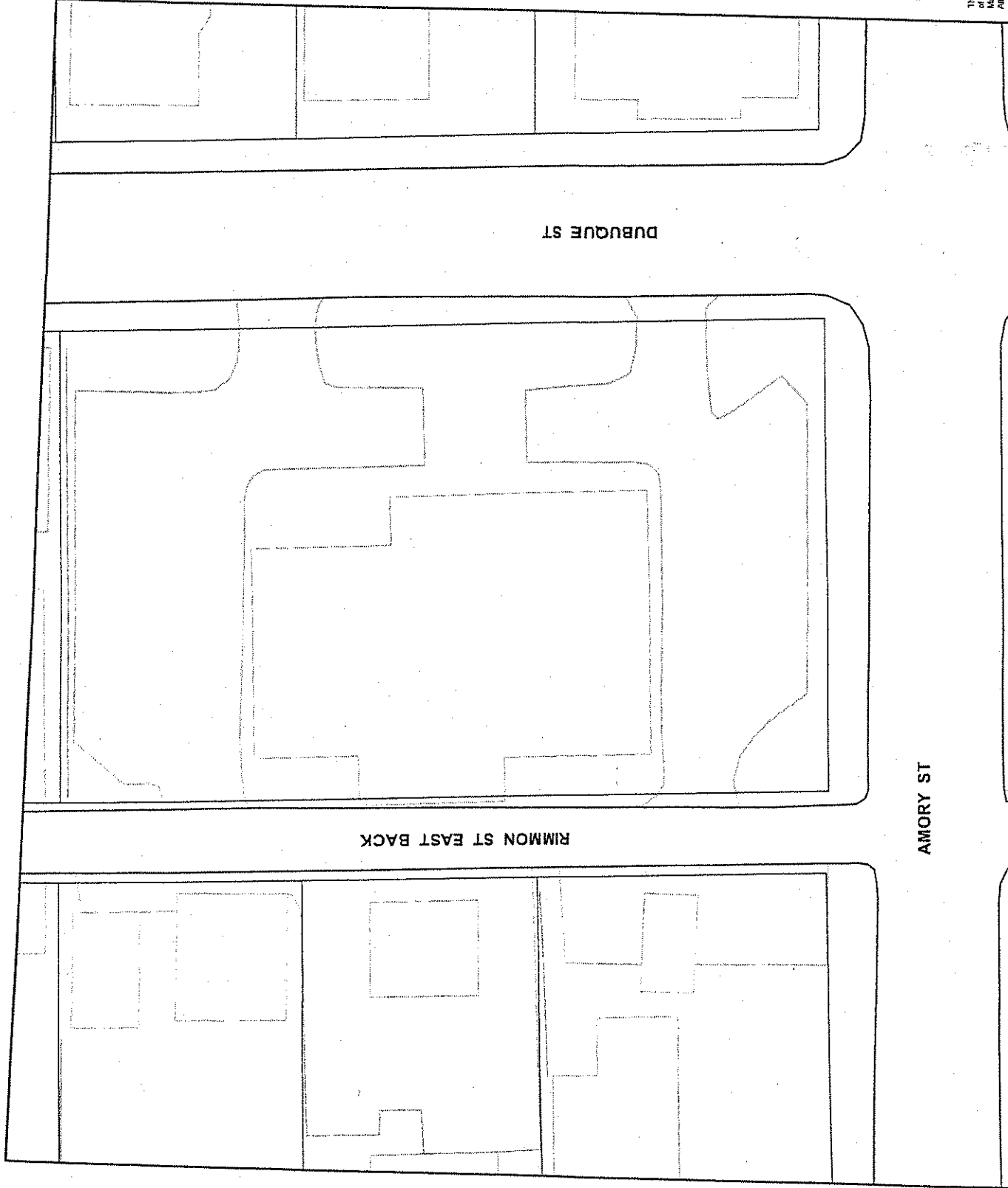
Thank you for your attention to this matter. Please contact me directly if you have any questions or require additional information in this regard.

Sincerely,

SOUTHERN NEW HAMPSHIRE
PLANNING COMMISSION

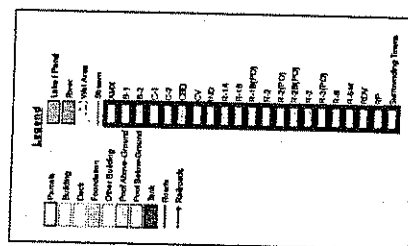
David J. Preece, AICP
Executive Director

DJP/rjk



DISCLAIMER

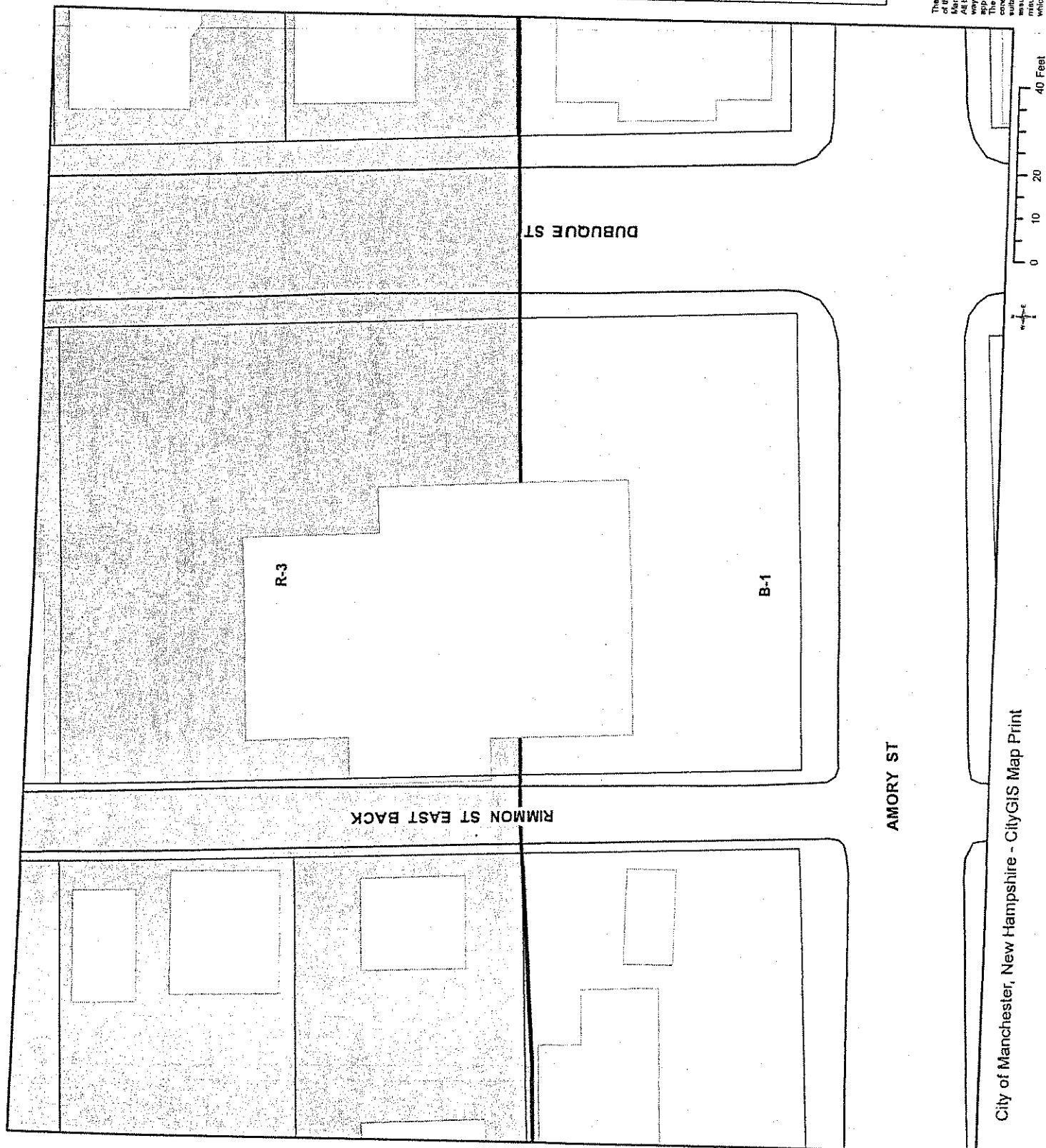
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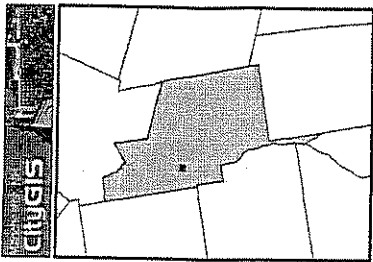
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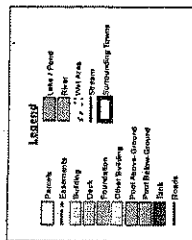
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City of Manchester, New Hampshire - CityGIS Map Print

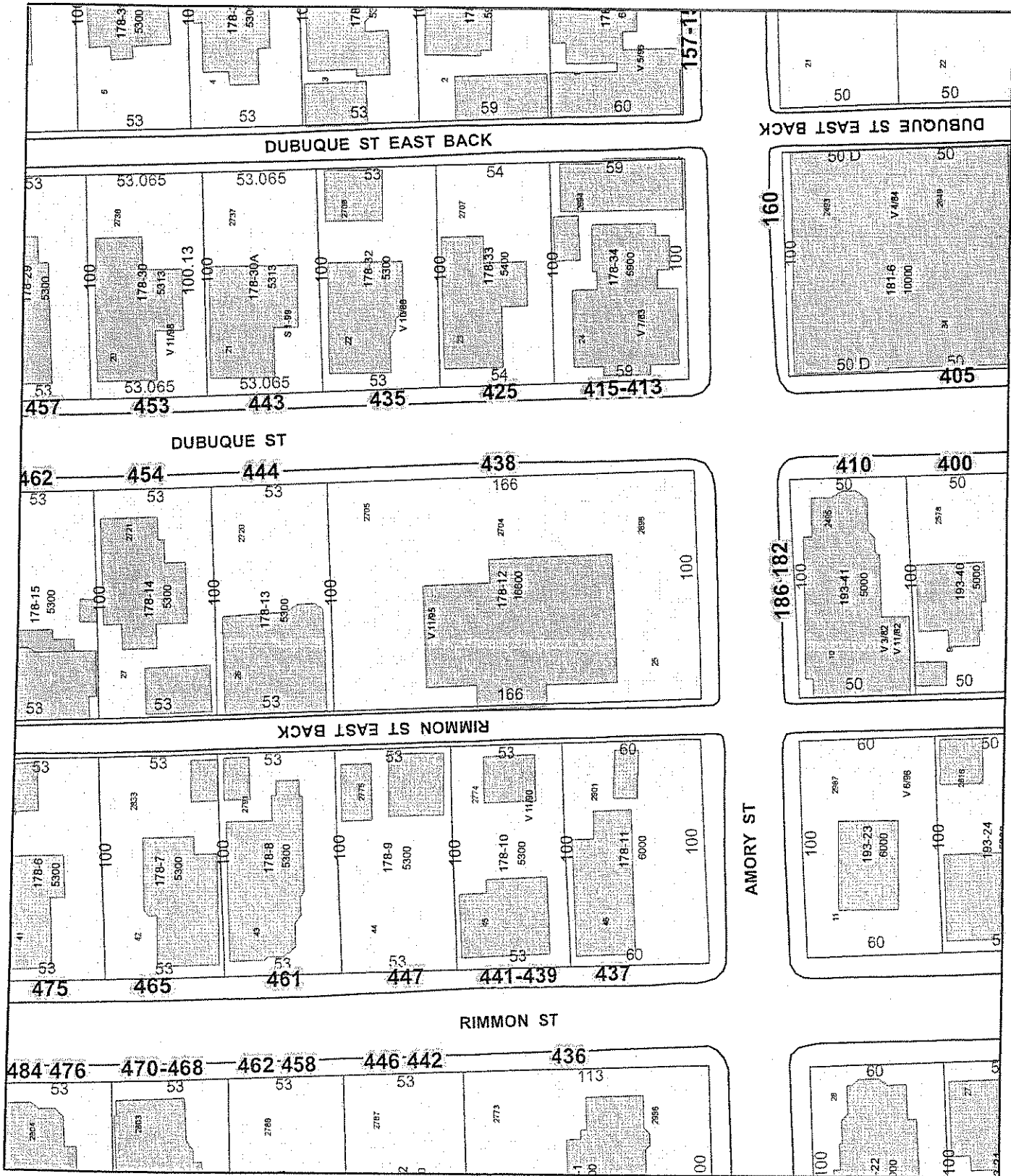


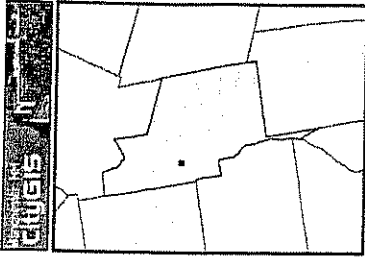
Aerial Map Showing Extent of Map At Left



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Aerial Map Showing Extent Of Map At Left



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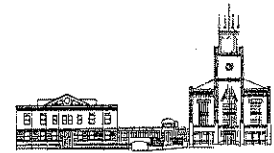


CITY OF MANCHESTER

Planning and Community Development

Robert S. MacKenzie, AICP
Director

Planning
Community Improvement Program
Growth Management



Staff to:
Planning Board
Heritage Commission
Millyard Design Review Committee

June 26, 2007

Mr. Leo Bernier, City Clerk
City of Manchester
One City Hall Plaza
Manchester, NH 03101

Re: Technical Report, Rezoning Petition, 438 Dubuque Street

Dear Mr. Bernier:

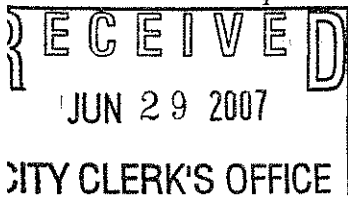
In accordance with the policy on rezoning requests, the following information is provided in consideration of a rezoning request filed by David Preece, Executive Director of the Southern New Hampshire Planning Commission, for the Commission's property at 438 Dubuque Street. The subject property is located on the northerly side of Amory Street, abutting Dubuque Street to the east, Rimmon Street East Back to the west, and a multi-family building to the north.

Currently, the property is split-zoned, with the southerly portion of the lot zoned *B-1, Neighborhood Business*, and the northerly portion of the lot zoned *R-3 Residential*. The applicant is requesting that the entire lot be zoned *B-1*.

The parcel is approximately 16,600 SF. The property has been home to the offices of the regional planning commission since 1995, after special exceptions and variances were secured by the ZBA. While properties that are bisected by different zoning district boundaries have specific issues to contend with to satisfy zoning regulations, properties in which the zoning district boundary also bisects the building have additional issues. Such is the case with this particular property.

Prior to 2001, the year the Zoning Ordinance and map were revised, the entire parcel at 438 Dubuque Street was zoned *B-1*. Staff is not certain why the map was changed in 2001, resulting in the split-zone.

From a technical perspective, the petition to rezone the rear portion of the parcel at 438 Dubuque Street from *R-3* to *B-1* may be forwarded to the Board of Mayor and Aldermen for a public hearing. Consistent with the policy for rezoning petitions, I am forwarding a



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Phone: (603) 624-6450 Fax: (603) 624-6529
E-mail: planning@ManchesterNH.gov
www.ManchesterNH.gov

copy of this report and petition to the Planning Board, the Building Department and the Office of the City Solicitor for their comment.

The Planning Director or I will be available to answer any questions that the Board may have.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Pamela H. Goucher", with a long, sweeping horizontal line extending to the right.

Pamela H. Goucher, AICP
Deputy Planning Director

C: Planning Board
 Building Department
 Office of the City Solicitor

Planning Department Technical Review Map

RIMMON ST.

DUBUQUE ST.

R-3

Subject
Property
438 Dubuque St.
TM 178, Lot 12

100'

166'

B-1

AMORY ST.

R-3

1. This map was prepared by the City of Manchester Planning & Community Development Department (D. Beauchesne) on June 25, 2007.

////// Rezone from R-3 to B-1

0 10 20 40 60 80 Feet



Planning Department Technical Review Map

RIMMON ST.

DUBUQUE ST.

R-3

Subject
Property
438 Dubuque St.
TM 178, Lot 12

B-1

AMORY ST.

R-3

1. This map was prepared by the City of Manchester Planning & Community Development Department (D. Beauchesne) on June 25, 2007.

Rezone from R-3 to B-1

0 10 20 40 60 80 Feet

